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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,728	07/21/2003	Albert Wang	MATRIX.031A	7176

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KNOBBE MARTENS OLSON & BEAR LLP  
2040 MAIN STREET  
FOURTEENTH FLOOR  
IRVINE, CA 92614

EXAMINER

ZERVIGON, RUDY

ART UNIT PAPER NUMBER

1763

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/624,728	Applicant(s) WANG, ALBERT	
	Examiner Rudy Zervigon	Art Unit 1763	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 September 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-12 and 18-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-12 and 18-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “downstream plasma reactor”, “in-chamber plasma reactor”, must be shown or the features canceled from the claims. No new matter should be entered. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. The amendment filed September 26, 2005 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not

supported by the original disclosure is as follows: Newly amended paragraphs 14, 16, 17, 18, 20, 25, 28, 29, and drawing figures 2a and 2b.

Applicant is required to cancel the new matter in the reply to this Office Action.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1, 3-12, 18-25 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. The claimed subject matter is not supported by the specification as originally filed.

***Claim Rejections - 35 USC § 102***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 1, 3-12, 18-25 are directed to the same invention as that of claims 1-28 of commonly assigned USPat. US 6,273,956 B1, US 6,228,773 B1. The issue of priority under 35 U.S.C. 102(g) and possibly 35 U.S.C. 102(f) of this single invention must be resolved.

Since the U.S. Patent and Trademark Office normally will not institute an interference between applications or a patent and an application of common ownership (see MPEP § 2302), the assignee is required to state which entity is the prior inventor of the conflicting subject

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matter. A terminal disclaimer has no effect in this situation since the basis for refusing more than one patent is priority of invention under 35 U.S.C. 102(f) or (g) and not an extension of monopoly.

Failure to comply with this requirement will result in a holding of abandonment of this application.

### *Double Patenting*

7. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

8. Claims 1, 3-12, 18-25 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-28 of U.S. Patent No. US 6,273,956 B1. Cox teaches in claim 14, the added claim 1 limitation of “..the throttle valve (45, 38, 56; Figure 15) configured to regulate the pressure”. Although the conflicting claims are not identical, they are not patentably distinct from each other because although Cox does not claim the added claim 12 limitation of “the computer configured to control the pump...”, it would have been obvious to

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one of ordinary skill in the art at the time the invention was made to “program” Cox’s computer as taught by Cox (claims 1, 7, 9, 10, 13). Motivation to “program” Cox’s computer is for process automation and optimization. It would be obvious to those of ordinary skill in the art to optimize the operation of the claimed invention (In re Boesch, 617 F.2d 272, 205 USPQ 215 (CCPA 1980); In re Hoeschele, 406 F.2d 1403, 160 USPQ 809 (CCPA 1969); Merck & Co. Inc. v. Biocraft Laboratories Inc., 874 F.2d 804, 10 USPQ2d 1843 (Fed. Cir.), cert. denied, 493 U.S. 975 (1989); In re Kulling, 897 F.2d 1147, 14 USPQ2d 1056 (Fed. Cir. 1990), MPEP 2144.05).

9. Claims 1, 3-12, 18-25 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-28 of U.S. Patent No. US 6,228,773 B1. Cox teaches in claim 14, the added claim 1 limitation of “..the throttle valve (45, 38, 56; Figure 15) configured to regulate the pressure”. Although the conflicting claims are not identical, they are not patentably distinct from each other because although Cox does not claim the added claim 12 limitation of “the computer configured to control the pump...”, it would have been obvious to one of ordinary skill in the art at the time the invention was made to “program” Cox’s computer as taught by Cox (claims 1, 7, 9, 10, 13). Motivation to “program” Cox’s computer is for process automation and optimization. It would be obvious to those of ordinary skill in the art to optimize the operation of the claimed invention (In re Boesch, 617 F.2d 272, 205 USPQ 215 (CCPA 1980); In re Hoeschele, 406 F.2d 1403, 160 USPQ 809 (CCPA 1969); Merck & Co. Inc. v. Biocraft Laboratories Inc., 874 F.2d 804, 10 USPQ2d 1843 (Fed. Cir.), cert. denied, 493 U.S. 975 (1989); In re Kulling, 897 F.2d 1147, 14 USPQ2d 1056 (Fed. Cir. 1990), MPEP 2144.05).

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1, and 3-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishihara Yasumasa (JP08127861)<sup>1</sup> in view of Jansen; Frank (US 4,612,207 A). Yasumasa teaches a photoresist ashing system (Figure 1; abstract) comprising two processing chambers (any two of 3A-C; Figure 1; abstract) configured for alternate operation and a single pump (“DP”; Figure 1; abstract) in fluid communication with the two chambers (any two of 3A-C; Figure 1; abstract), the pump (“DP”; Figure 1; abstract) being configured to perform both pump (“DP”; Figure 1; abstract) down and process pumping (“DP”; Figure 1; abstract) of the two chambers (any two of 3A-C; Figure 1; abstract), as claimed by claim 1. Applicant’s claim limitations of “a photoresist ashing system”, “alternate operation”, and “being configured to perform both pump down and process pumping of the two chambers” are claim requirements of intended use. Further, it has been held that claim language that simply specifies an intended use or field of use for the invention generally will not limit the scope of a claim (Walter , 618 F.2d at 769, 205 USPQ at 409; MPEP 2106). Additionally, in apparatus claims, intended use must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of

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<sup>1</sup> IDS reference of paper number 25042005. See provided machine translation from <http://www4.ipdl.ncipi.go.jp/Tokujitu/PAJdetail.ipdl?N0000=60&N0120=01&N2001=2&N3001=H08-127861>

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performing the intended use, then it meets the claim (In re Casey, 152 USPQ 235 (CCPA 1967);

In re Otto, 136 USPQ 458, 459 (CCPA 1963); MPEP 2111.02).

Yasumasa further teaches:

- i. The system (Figure 1; abstract) of claim 1, wherein the single pump ("DP"; Figure 1; abstract) is a dry pump ("DP"; Figure 1; abstract), as claimed by claim 3
- ii. The apparatus of claim 1, wherein the chambers (any two of 3A-C; Figure 1; abstract) are adjacent to each other, as claimed by claim 6
- iii. The apparatus of claim 1 wherein the processing chambers (any two of 3A-C; Figure 1; abstract) are each configured to receive a single silicon wafer at a time, and the processing chambers (any two of 3A-C; Figure 1; abstract) each comprise a downstream plasma reactor, as claimed by claim 10
- iv. The apparatus of claim 1 wherein the processing chambers (any two of 3A-C; Figure 1; abstract) are each configured to receive a single silicon wafer at a time, and the processing chambers (any two of 3A-C; Figure 1; abstract) each comprise an in-chamber plasma reactor, as claimed by claim 11

Yasumasa does not teach a throttle valve (45, 38, 56; Figure 15) simultaneously downstream of Yasumasa's both chambers (any two of 3A-C; Figure 1; abstract) and upstream of Yasumasa's pump ("DP"; Figure 1; abstract). Yasumasa further does not teach

- i. The system (Figure 1; abstract) of claim 1, further comprising only one isolation valve between the pump and a first one of the chambers, as claimed by claim 4
- ii. The system (Figure 1; abstract) of claim 1, further comprising only one isolation valve between the pump and a second one of the chambers, as claimed by claim 5



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Jansen teaches a wafer processing apparatus (Figure 1) including a throttle valve (45, 38, 56; Figure 15) (19; Figure 1) downstream of Jansen's chamber (15; Figure 1) and upstream of Jansen's pump (18; Figure 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add Jansen's throttle valve (45, 38, 56; Figure 15) to Yasumasa's apparatus.

Motivation to add Jansen's throttle valve (45, 38, 56; Figure 15) to Yasumasa's apparatus is for controlling processing pressure to desired values as taught by Jansen (column 5; lines 36-45).

12. Claims 12, and 18-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cox; Gerald M. (US 6,228,773 B1) in view of Khan; Anisul et al. (US 6,802,933 B2). Cox teaches a dual chamber processing system (Figures 4, 6, 15; See common numbers) for continuously processing a plurality of work pieces (31,33; Figure 15) comprising: a common power source (22; column 7, line 1 – column 8, line 20) switchable (22; column 7, line 1 – column 8, line 20) between a first plasma applicator (26; Figure 15) of a first chamber (30; Figure 15; column 8; lines 25-45) and a second plasma applicator (28; Figure 15) of a second chamber (32; Figure 15; column 8; lines 25-45), the first chamber (30; Figure 15; column 8; lines 25-45) for processing a second workpiece in a vacuum to completion therein, when the power source (22; column 7, line 1 – column 8, line 20) is applied thereto and switched ON.

Applicant's claim limitations of:

“a robot (15; column 8, lines 55-65; Figure 4,6,15) configured to remove at substantially atmospheric pressure a first workpiece from the second chamber (32; Figure 15; column 8; lines 25-45) after processing the first workpieces (31,33; Figure 15) the robot (15; column 8, lines 55-

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65; Figure 4,6,15) configured to reload the second chamber (32; Figure 15; column 8; lines 25-45) with a third workpiece to be processed while the second workpiece is being processed in the first chamber (30; Figure 15; column 8; lines 25-45), the robot (15; column 8, lines 55-65; Figure 4,6,15) configured to remove at substantially atmospheric pressure the second workpiece from the first chamber (30; Figure 15; column 8; lines 25-45) after processing the first workpiece, the robot (15; column 8, lines 55-65; Figure 4,6,15) configured to reload the first chamber (30; Figure 15; column 8; lines 25-45) with a fourth workpiece to be processed while the third workpiece is being processed in the second chamber (32; Figure 15; column 8; lines 25-45) the second chamber (32; Figure 15; column 8; lines 25-45) for processing the third workpiece in a vacuum to completion therein when the power source (22; column 7, line 1 – column 8, line 20) is applied to the second plasma applicator (28; Figure 15) and switched ON” are claim limitations of intended use of the pending apparatus claims. Further, it has been held that claim language that simply specifies an intended use or field of use for the invention generally will not limit the scope of a claim (Walter , 618 F.2d at 769, 205 USPQ at 409; MPEP 2106). Additionally, in apparatus claims, intended use must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim (In re Casey, 152 USPQ 235 (CCPA 1967); In re Otto , 136 USPQ 458, 459 (CCPA 1963); MPEP2111.02).

Cox further teaches:

- i. exactly one pump (34; Figure 15; column 5; lines 55-67) adapted to be in fluid communication with the first and second chambers (30, 32; Figure 15), the pump (34; Figure

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15; column 5; lines 55-67) being configured to perform both process pumping and pump-down pumping of both chambers

ii. The system of Claim 12, wherein the single pump (34; Figure 15; column 5; lines 55-67) is a dry pump (34; Figure 15; column 5; lines 55-67), as claimed by claim 18

iii. The system of Claim 12, wherein the first chamber (30; Figure 15; column 8; lines 25-45) and the second chamber (32; Figure 15; column 8; lines 25-45) are adjacent to each other, as claimed by claim 21

iv. The system of Claim 12, wherein the power source (22; column 7, line 1 – column 8, line 20) is a microwave power source (22; column 7, line 1 – column 8, line 20), as claimed by claim 22

v. The system of Claim 12, wherein the chambers (30,32; Figure 15) are each configured to receive a single silicon wafer at a time, and the chambers (30,32; Figure 15) are each downstream of a plasma reactor (26; Figure 15), as claimed by claim 24

vi. The system of Claim 12, wherein the chambers (30,32; Figure 15) are each configured to receive a single silicon wafer at a time, and the chambers (30,32; Figure 15) each comprise an in situ plasma reactor (26; Figure 15), as claimed by claim 25

Cox does not teach

i. a computer configured to repeatedly synchronously and alternately control the power source (22; column 7, line 1 – column 8, line 20) application, the robot (15; column 8, lines 55-65; Figure 4,6,15) movement, the chamber processing, and the pump (34; Figure 15; column 5; lines 55-67), the computer configured to control the pump (34; Figure 15; column 5; lines 55-67) and the robot (15; column 8, lines 55-65; Figure 4,6,15) to effect pump-down and

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subsequent process pumping of one of the chambers during simultaneous venting the workpiece removal and workpiece reloading of the other of the chambers such that said pump-down pumping of one of the chambers and said venting of the other of the chambers begin at substantially the same time, and the computer being configured to open the pump (34; Figure 15; column 5; lines 55-67) to fluid communication with only one of the chambers at a time, as claimed by claim 12 – Applicant’s claim limitation of “to effect pump-down and subsequent process pumping of one of the chambers during simultaneous venting the workpiece removal and workpiece reloading of the other of the chambers such that said pump-down pumping of one of the chambers and said venting of the other of the chambers begin at substantially the same time, and the computer being configured to open the pump to fluid communication with only one of the chambers at a time” are claim requirements of intended use of the pending apparatus claims. Further, it has been held that claim language that simply specifies an intended use or field of use for the invention generally will not limit the scope of a claim (Walter , 618 F.2d at 769, 205 USPQ at 409; MPEP 2106). Additionally, in apparatus claims, intended use must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim (In re Casey, 152 USPQ 235 (CCPA 1967); In re Otto , 136 USPQ 458, 459 (CCPA 1963); MPEP 2111.02).

ii. The system of Claim 12, wherein the system further comprises only one isolation valve (45, 38, 56; Figure 15) between the pump (34; Figure 15; column 5; lines 55-67) and the first chamber (30; Figure 15; column 8; lines 25-45), as claimed by claim 19

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iii. The system of Claim 19, wherein the system further comprises only one isolation valve (58, 39, 47; Figure 15) between the pump (34; Figure 15; column 5; lines 55-67) and the second chamber (32; Figure 15; column 8; lines 25-45), as claimed by claim 20

iv. The system of Claim 12, wherein the power source (22; column 7, line 1 – column 8, line 20) is a common radio frequency power source (22; column 7, line 1 – column 8, line 20) synchronously multiplexed between the two processing chambers, as claimed by claim 23

Khan teaches a computer controller (500; Figures 2B, 3B, 4, 5A) for process control of plural chambers (200, 300, 409; Figure 5A), robot (412; Figure 5A), and power (415; Figure 5A).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add Khan's computer controller for automating Cox's above process components, and for Cox to use "only one isolation valve".

Motivation to add Khan's computer controller for automating Cox's above process components, and for Cox to use "only one isolation valve" is for process automation as taught by Khan (column 25, line 48 – column 26, line 66) and for equipment economization. It would be obvious to those of ordinary skill in the art to optimize the operation of the claimed invention (In re Boesch, 617 F.2d 272, 205 USPQ 215 (CCPA 1980); In re Hoeschele, 406 F.2d 1403, 160 USPQ 809 (CCPA 1969); Merck & Co. Inc. v. Biocraft Laboratories Inc., 874 F.2d 804, 10 USPQ2d 1843 (Fed. Cir.), cert. denied, 493 U.S. 975 (1989); In re Kulling, 897 F.2d 1147, 14 USPQ2d 1056 (Fed. Cir. 1990), MPEP 2144.05). Further, it is established that the use of a one piece construction instead of interconnected components is obvious (In re Larson, 340 F.2d 965, 968, 144 USPQ 347, 349 (CCPA 1965), MPEP 2144.04).

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13. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishihara Yasumasa (JP08127861)<sup>2</sup> in view of Jansen; Frank (US 4,612,207 A) and Cox; Gerald M. (US 6,228,773 B1). Yasumasa and Jansen are discussed above. Yasumasa further teaches a common radio frequency power source ("RF", Figures 1-3). Yasumasa and Jansen do not teach a remote plasma applicator. Cox teaches remote plasma applicators (26,28; Figure 15).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add Cox's remote plasma applicators to Yasumasa and Jansen apparatus.

Motivation to add Cox's remote plasma applicators to Yasumasa and Jansen apparatus is for remote plasma processing of substrates as taught by Cox (claim 7).

#### *Response to Arguments*

14. Applicant's arguments with respect to claims 1, and 3-12 have been considered but are moot in view of the new grounds of rejection.

#### *Conclusion*

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 6,630,053; US 20020036065 A1; US 4612207 A; US 6030489 A

16. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

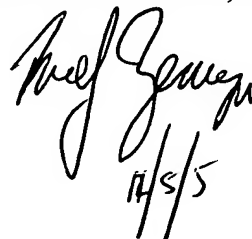
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<sup>2</sup> IDS reference of paper number 25042005. See provided machine translation from

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Rudy Zervigon whose telephone number is (571) 272.1442. The examiner can normally be reached on a Monday through Thursday schedule from 8am through 7pm. The official fax phone number for the 1763 art unit is (703) 872-9306. Any Inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Chemical and Materials Engineering art unit receptionist at (571) 272-1700. If the examiner can not be reached please contact the examiner's supervisor, Parviz Hassanzadeh, at (571) 272-1435.



Handwritten signature of Rudy Zervigon, dated 11/5/5.